

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GENE CHRISTIAN COLLINS,

Defendant.

CR 18–150–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on January 31, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommended this Court accept Gene Christian Collins’ guilty

plea after Collins appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to felon in possession of a firearm and ammunition in violation of 18 U.S.C. § 922 as charged in Counts I and II of the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 39), and I adopt them in full.

Accordingly, IT IS ORDERED that Gene Christian Collins' motion to change plea (Doc. 33) is GRANTED and Gene Christian Collins is adjudged guilty as charged in Counts I and II of the Indictment.

DATED this 19th day of February, 2019.



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Dana L. Christensen, Chief District Judge  
United States District Court